

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Declaration Not Accompanying Application)

Ercole L. Cavalieri, George P. Casale, Eleanor G. Rogan, and Douglas E. Stack, declare that they are citizens of the United States, and residents of the City of Omaha and the State of Nebraska with post office addresses of 22635 Wilson Avenue, Waterloo, Nebraska 68069; 6718 S. 145th Street, Omaha, Nebraska 68137; 8210 Bowie Drive, Omaha, Nebraska 68114; and 4818 Orchard Avenue, Omaha, Nebraska 68117, respectively; that on April 19, 1996, they filed Application Serial No. 08/634,941, in the United States Patent and Trademark Office, that they verily believe themselves to be the original, first and joint inventors of the improvements in a SYNTHESIS OF ESTROGEN-PURINE BASE AND ESTROGEN-MERCAPTURATE ADDUCTS AND DEVELOPMENT OF FLUORESCENT PROBES AND MONOCLONAL ANTIBODIES TO ASSAY THOSE ADDUCTS described and claimed in the specification of said application for patent; that they do not know and do not believe that the same was ever known or used in the United States of America before their invention thereof or patented or described in any printed publication in any country before their invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by them or their legal representatives or assigns more than twelve months prior to this application that they have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment specifically referred to in the oath or declaration; that they acknowledge the duty to disclose to the Office all information known to them to be material to patentability as defined in Title 37, Code of Federal Regulations 1.56(a); and that no application for patent or inventor's certificate on this invention has been filed by them, their legal representative or assigns in any country foreign to the United States of America except as identified below. None.

And we hereby appoint ZARLEY, McKEE, THOMTE, VOORHEES & SEASE, comprising Donald H. Zarley, Registration No. 18,543; Bruce W. McKee, Registration No. 19,651; Dennis L. Thomte, Registration No. 22,497; Michael G. Voorhees, Registration No. 25,715; Edmund J. Sease, Registration No. 24,741; Mark D. Hansing, Registration No. 30,643; Kirk M. Hartung, Registration No. 31,021; Mark D. Frederiksen, Registration

No. 31,357; Daniel J. Cosgrove, Registration No. 36,770; Michael R. Crabb, Registration No. 37,298; Heidi Sease Nebel, Registration No. 37,719; Bruce A. Johnson, Registration No. 37,361; and Wendy K. Hartung, Registration No. 39,705; 801 Grand Avenue, Suite 3200, Des Moines, Iowa 50309, Telephone 515-288-3667, our attorneys to prosecute this application and to transact all business in the Patent Office connected therewith.

The undersigned petitioners further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: 6/7/1996

Ercole L. Cavalieri
Ercole L. Cavalieri

Date: 6/7/96

George P. Casale
George P. Casale

Date: 6-6-96

Eleanor G. Rogan
Eleanor G. Rogan

Date: 6-7-96

Douglas E. Stack
Douglas E. Stack

365740 33509060

Applicant or Patentee: CAVALIERI al.

Serial No. or Patent No:

Filed or Issued:

For: SYNTHESIS OF ESTROGEN-PURINE BASE AND ESTROGEN-MERCAPTURATE ADDUCTS AND DEVELOPMENT OF FLUORESCENT PROBES AND MONOCLONAL ANTIBODIES TO ASSAY THOSE ADDUCTS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) AND 1.27(d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Board of Regents of the University of Nebraska

ADDRESS OF ORGANIZATION Regents Hall, 3835 Holdrege Street
Lincoln, Nebraska 68503

TYPE OF ORGANIZATION

☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))

☒ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE
UNITED STATES OF AMERICA

(NAME OF STATE Nebraska)

(CITATION OF STATUTE _____)

☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE

(26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE
OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled _____
by inventor(s) _____ as described in

☒ the specification filed herewith.

☐ application serial no. _____, filed _____

☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of payment, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Carl D. Butler

TITLE IN ORGANIZATION Director, Technology Development, University of Nebraska Medical Center,

ADDRESS OF PERSON SIGNING 600 S. 42nd Street, Omaha, NE 68198-4370

SIGNATURE _____

DATE April 19, 1996